

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF REGISTERED NURSING MINUTES**

DATE: April 11-12, 2018

LOCATION: Sheraton Mission Valley San Diego Hotel
Connections Ballroom
1433 Camino Del Rio South
San Diego, CA 92108
(619) 260-0111

BOARD
MEMBERS: Trande Phillips, RN, President
Donna Gerber, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Pilar De La Cruz-Reyes, MSN, RN
Michael D. Jackson, RN, MSN
Imelda Ceja-Butkiewicz
Barbara Yaroslavsky
Cynthia Klein, RN

STAFF PRESENT: Joseph Morris, RN, MSN, Ph.D., Executive Officer
Spencer Walker, DCA Legal Counsel
Stacie Berumen, Assistant Executive Officer
Christina Sprigg, Chief, Licensing and Administrative Services
Joseph Pacheco, Chief, Complaint Intake and Investigations
Shannon Silberling, Chief, Discipline, Probation and Intervention
Janette Wackerly, Supervising NEC
Badrieh Caraway, Supervising NEC
Katie Daugherty, NEC
Carol Velas, NEC
Wayne Boyer, NEC
Kay Weinkam, RA-NEC
Kim Ott, Decisions and Appeals Analyst
Eloisa Zinzun, Administration Services Analyst
Lisa Hall, Probation Monitor

Wednesday, April 11, 2018

1.0 8:00 am Open Session: Staff Presentation to Public

- 1.1 Overview of the Board's licensure process and process related to applicants reporting convictions.
- 1.2 Questions and Answers.

Schools Present: Saddleback College, DeAnza College, San Bernardino Valley College, Imperial Valley College, College of the Desert, California Baptist College, Pasadena City College, Point Loma College, Ca. State University San Marcos

2.0 Call to Order, Roll Call, and Establishment of a Quorum

Trande Phillips, President, called the meeting to order at 9:18 a.m. and established a quorum.

PRESENT: Trande Phillips, RN, President
Donna Gerber, Vice President
Elizabeth A. Woods, MSN, FNP, RN
Michael D. Jackson, MSN, RN
Cynthia Klein, RN
Imelda Ceja Butkiewicz
Barbara Yaroslavsky

NOT PRESENT: Pilar De La Cruz-Reyes, MSN, RN

Executive Officer: Dr. Joseph Morris, PhD, MSN, RN

3.0 Public Comment for Items Not on the Agenda

No Public Comment

4.0 Disciplinary Matters. Hearings on Petitions for:

Roy W. Hewitt, Administrative Law Judge
Dionne Mochon, Deputy Attorney General
Amie Flynn, Deputy Attorney General

Reinstatements

- Elmer Alegado
- Christopher Belino
- Anna Goroch
- Squiretta Holden
- Ophelia Lee
- Marcia McCulley
- Lori Sallstrom

Meeting adjourned for Lunch between 1:50 – 2:07 pm

Trande Phillips, President, reopened the meeting to open session and established a quorum at 2:07 pm

Meeting adjourned to closed session at 2:08 pm.

5.0 Closed Session

Disciplinary Matters

The Board convened in closed session pursuant to Government Code Section 11126(c)(3) to deliberate on the above matters and other disciplinary matters including stipulations and proposed decisions.

Pending Litigation

The Board will convene in closed session pursuant to Government Code section 11126(e)(1) to confer with and receive advice from legal counsel regarding *Melani Kent v. California Board of Registered Nursing*, Sacramento Superior Court, Case No. 34-2017-80002595-CU-WM-GDS.

Personnel Matters

Pursuant to Section 11126(a)(1) of the Government Code, the Board will meet in closed session to Evaluate the Annual Performance of the Executive Officer.

Trande Phillips, President, called the closed session meeting to order at 2:08 pm. The closed session adjourned at 6:37 pm.

6.0 Reconvene in Open Session for purpose of Adjournment

Trande Phillips, President, reopened the meeting at 6:38 pm.

No public comment.

Meeting adjourned at 6:39 pm.

Thursday, April 12, 2018 9:00 am

1.0 Call to Order/ Roll Call and Establishment of a Quorum

Trande Phillips, President called the meeting to order at 9:07 am, had the members introduce themselves and established a quorum.

Members:

- Trande Phillips, RN, President
- Donna Gerber, Vice President
- Elizabeth A. Woods, MSN, FNP, RN
- Pilar De La Cruz-Reyes, MSN, RN
- Michael D. Jackson, MSN, RN
- Barbara Yaroslavsky
- Cynthia Klein, RN
- Imelda Ceja-Butkiewicz

Executive Officer: Dr. Joseph Morris, PhD, MSN, RN

Staff Present:

- Joseph Morris, RN, MSN, Ph.D., Executive Officer
- Spencer Walker, DCA Legal Counsel
- Stacie Berumen, Assistant Executive Officer
- Christina Sprigg, Chief, Licensing and Administrative Services
- Joseph Pacheco, Chief, Complaint Intake and Investigations
- Shannon Silberling, Chief, Discipline, Probation and Intervention
- Janette Wackerly, Supervising NEC
- Badrieh Caraway, Supervising NEC
- Carol Velas, NEC
- Kay Weinkam, RA-NEC
- Katie Daugherty, NEC
- Wayne Boyer, NEC
- Kim Ott, Decisions and Appeals Analyst
- Eloisa Zinzun, Administration Services Analyst

2.0 Public Comment for Items Not on the Agenda

Public Comment

Mary Wickman, Scott Ziehm, Marlena Montgomery

3.0 Review and Vote on Whether to Approve Minutes:

3.1 February 14-15, 2018 Board Meeting Minutes

Motion: Michael Jackson motion to accept.

Second: Barbara Yaroslavsky motion to accept.

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Abstain	Y	Abstain	Y

3.2 March 14-15, 2018 Board Meeting Minutes

Motion: Michael Jackson motion to accept.

Second: Elizabeth Woods motion to accept.

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

No Public Comment

4.0 Report on Board Members' Activities

No Public Comment

5.0 Board and Department Activities

5.1 Executive Officer Report

- Organizational Update
- Budget Update
- Technology Update
- Staffing Update

➤ Organizational Update

Internal Business Process

The Board continues to review its internal business processes. The Board is currently in the process of submitting the Budget Change Process to request additional staffing to meet operational needs. Staff will submit a concept budget proposal to the Department of Consumer Affairs requesting an additional 96 staff to throughout the entire BRN. The additional staff will be used to improve customer service and other essential operations of the Board.

➤ Memorandum of Understanding (MOU)

The Board recently entered a MOU with Superior Court of California, Los Angeles. The MOU will allow the Board to search the Court's criminal calendar, criminal Index, and other data documents that may be relevant to the enforcement unit in effort to maintain consumer protection. Similarly, the entered a MOU with the California Department of Public Health (CDPH) which allows the sharing of relevant data.

➤ Annual School Survey

The 2017 BRN Annual School Survey and Nurse Practitioner /Certified Nurse Midwife Survey is currently available on the BRN website. UCSF administers the survey on behalf of the BRN. The surveys provide an overview of the trends within advanced nursing practice and nursing education throughout the state of California. For more information regarding the survey, please visit the BRN website.

➤ Outreach Efforts

The BRN Enforcement staff, in collaboration with DCA Marketing, completed the final video recording of the Intervention Program Awareness Media. The outreach video is currently in the final production phase with plans to be released to the public by late May 2018. In addition to the intervention awareness video, the enforcement staff is planning to host a Statewide webinar to stakeholders. The webinar will provide a brief overview of the BRN enforcement process. For more information regarding the Enforcement Unit including the Probation and Intervention program please visit the BRN website.

➤ Clinical Displacement Experiences

The revised Clinical Displacement/Alliance Survey that was administered to CA. Nursing program Deans/Directors is finally complete and ready for distribution. The Board is requesting that all schools thoroughly complete and return the survey in a timely manner. In addition, a similar survey will be emailed to clinical agencies soliciting their input regarding the nursing program clinical placement matter. Once the surveys are distributed and received, the Board will analyze the data and present the findings to the Nursing Education and Workforce Advisory Committee (NEWAC) with recommendations.

➤ Public Record Requests

The BRN continues to comply with public record requests and responds within the required timeframes that are set in Government Code Section 6250. For the period of February 2, 2018 to April 2, 2018 the BRN received and processed 17 public record requests.

➤ Technology Update

➤ Fingerprint Requirement

As just a reminder, BRN staff continues to notify licensees who are missing fingerprints (FBI and/or DOJ) in the online BreEZe system. As previously stated in the November 2017 EO report, the fingerprint deficiency statement is now printed on the RN license “renewal” notices that are mailed 90 days in advance of the license “expiration” date. The same deficiency statement is also indicated in the individual’s online BreEZe profile. Licensees are given 60 days to comply with the fingerprint requirements by submitting fingerprints to DOJ and providing proof of fingerprint submission to the Board. Licensees that remain deficient are mailed a second reminder letter 30 days after the initial letter to remind them to follow-up with the requirements. Therefore, nurses are given a total of 60 days from receipt of the initial letter to respond before possible disciplinary actions are taken. The Licensing Manager will provide a more detailed report regarding this process.

➤ Cloud Technology

The Board continues to achieve great success with implementing the Cloud technology and the submission of electronic documents as part of licensing process improvement launched October 2016. Since then, the Board launched the pilot process with the Attorney General Office which continues to be an ongoing initiative and thus far well received. In March, the Board expanded the electronic process to Out-of-State for Endorsers. The licensing report will provide more detail

regarding this process. For more information regarding the BRN latest updates please visit the BRN website under the “What’s New” heading.

➤ Budget Update

➤ Fee Increase Regulation

On March 29, 2018, the Board of Registered Nursing voted to authorize implementation of statute to increase licensure application and renewal fees. [Senate Bill 1039](#) (Hill, Chapter 799, Statutes of 2016) required that the Board set licensure application and renewal fees within a statutory range, but not lower than a minimum allowed fee. The Board voted to set the licensure and renewal application fees at the minimum required fee, unless a fee contained within the Board’s regulations is within the statutory fee range. The fee change was implemented April 5, 2018. For more information regarding the fee schedule please visit the BRN website under the What’s New heading.

➤ Current Year AG Budget

In February, the Board submitted the augmentation request of \$1.1 million to fund the projected Enforcement costs through the remainder of the fiscal year.

➤ Current Year Budget

Board staff continue to monitor the budget to ensure the financial health of the Board is maintained through the remainder of the fiscal year. Staff continue to meet with management on purchasing requests to ensure only necessary expenditures are being approved. In addition, the Board is working with the DCA Budget Office on cost projections for next fiscal.(see page5)

➤ Fund Condition

See page 5 for current figures (as of 03/22/2018) of the Board’s Analysis of Fund Condition.

➤ Staffing Update

There are currently 22 positions which are actively being recruited for hire. For more information regarding the available job postings and how to apply please visit the BRN website.

NEW HIRES			
Name	Classification	Program	Tenure
Angelina Gonzalez	Program Technician	Licensing - Support	Perm
Steven Reed	Program Technician	Renewals	LT
Phillip Perez	Program Technician II	Licensing – US Eval.	Perm
William Newton	Program Technician II	Call Center	Perm
PROMOTIONS			
Name	Classification	Program	
John Shicora	Staff Services Analyst	Licensing – International	Perm
Evelyn Medina-Aranda	Staff Services Analyst	Licensing – International	Perm
Arletra Duroncelet-Hutchison	Staff Services Analyst	Complaint Intake	LT
Richard Ware	Associate Governmental Program Analyst	Discipline	Perm
SEPARATIONS			

Name		Classification	Program	
William Lam		Office Assistant	Mailroom	Perm
RETIREMENTS				
Name		Classification	Program	
None.				
VACANCIES				
Classification			Program	FT/Perm vacancies
Associate Governmental Program Analyst/SSA			Discipline	1
Associate Governmental Program Analyst			Intervention	1
Associate Governmental Program Analyst			Probation	1
Nursing Education Consultant (New BCP)			N. CA NECs	1
Nursing Education Consultant			S. CA - NECs	3
Office Assistant – Typing			Renewals	2
Office Technician – Typing			Call Center	1
Office Technician – Typing			Complaint Intake	1
Office Technician – Typing			Discipline	1
Office Technician – Typing			Administration	1
Program Technician			Licensing - Support	2
Program Technician II			Renewals	1
Program Technician II			Call Center	2
Program Technician II (New BCP)			Call Center	1
Research Program Specialist I			Administration	1
Supervising Program Technician I			Licensing - Support	1
Supervising Program Technician II (New BCP)			Call Center	1
TOTAL:				22

➤ Fund Condition

0761 - Board of Registered Nursing Analysis of Fund Condition

PREPARED 3/22/18

(Dollars in Thousands)

2018-19 Governor's Budget

FY 2018-19 Fee Increase

FY 2017-18 Proposed AG/OAH Augmentation

	ACTUAL 2016-17	CY 2017-18	Governor's Budget BY 2018-19	BY+1 2019-20	BY+2 2020-21
BEGINNING BALANCE	\$ 9,774	\$ 9,966	\$ 9,551	\$ 24,969	\$ 39,436
Prior Year Adjustment	\$ 536	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 10,310	\$ 9,966	\$ 9,551	\$ 24,969	\$ 39,436
REVENUES AND TRANSFERS					
Revenues:					
4121200 Delinquent fees	\$ 627	\$ 603	\$ 622	\$ 622	\$ 622
4121200 Delinquent fees (proposed revenue increase)	\$ -	\$ -	\$ 317	\$ 317	\$ 317
4127400 Renewal fees	\$ 32,283	\$ 36,058	\$ 36,216	\$ 36,216	\$ 36,216
4127400 Renewal fees (proposed revenue increase)	\$ -	\$ -	\$ 5,494	\$ 5,494	\$ 5,494
4129200 Other regulatory fees	\$ 2,126	\$ 1,378	\$ 1,352	\$ 1,352	\$ 1,352
4129200 Other regulatory fees (proposed revenue increase)	\$ -	\$ -	\$ 3,700	\$ 3,700	\$ 3,700
4129400 Other regulatory licenses and permits	\$ 7,256	\$ 6,362	\$ 6,466	\$ 6,466	\$ 6,466
4129400 Other regulatory licenses and permits (proposed revenue increase)	\$ -	\$ -	\$ 8,553	\$ 8,553	\$ 8,553
4143500 Miscellaneous services to the public	\$ 84	\$ 84	\$ 84	\$ 84	\$ 84
4163000 Income from surplus money investments	\$ 82	\$ 15	\$ 39	\$ 118	\$ 159
4171400 Escheat of unclaimed checks and warrants	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10
4171500 Escheat of unclaimed property	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6
4172500 Miscellaneous revenues	\$ 9	\$ 9	\$ 9	\$ 9	\$ 9
Totals, Revenues	\$ 42,483	\$ 44,525	\$ 62,868	\$ 62,947	\$ 62,988
Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 42,483	\$ 44,525	\$ 62,868	\$ 62,947	\$ 62,988
Totals, Resources	\$ 52,793	\$ 54,491	\$ 72,419	\$ 87,916	\$ 102,424
EXPENDITURES					
Disbursements:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 40,622	\$ 40,860	\$ 44,293	\$ 45,179	\$ 46,082
Proposed AG/OAH Budget Augmentation	\$ -	\$ 1,038	\$ -	\$ -	\$ -
8880 Financial Information System for California (State Operations)	\$ 53	\$ 53	\$ 4	\$ 4	\$ 4
9892 Supplemental Pension Payments (State Operations)	\$ -	\$ -	\$ 308	\$ 308	\$ 308
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 2,152	\$ 2,989	\$ 2,845	\$ 2,989	\$ 2,989
Total Disbursements	\$ 42,827	\$ 44,940	\$ 47,450	\$ 48,480	\$ 49,383
FUND BALANCE					
Reserve for economic uncertainties	\$ 9,966	\$ 9,551	\$ 24,969	\$ 39,436	\$ 53,041
Months in Reserve	2.7	2.4	6.2	9.6	12.7

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING
- B. EXPENDITURE GROWTH PROJECTED AT 2% BEGINNING BY+1
- C. ASSUMES INTEREST RATE AT 0.3%

*Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

- 5.2** DCA Budget Update and **6.2** Update on meeting with DCA Leadership to discuss the BRN current budget status and need to seek additional resources

BACKGROUND: The Administrative Committee will provide an update to the board members regarding ongoing communication and meetings with DCA Leadership.

Presented by Mark Ito, Budget Manager

Public Comment

Marsha Haller, Judy Corless

6.0 Report of the Administrative Committee

Trande Phillips, RN, President, Chairperson

6.1 Review and Possible Vote on Whether to Adopt the Draft 2018-2021 Strategic Plan

BACKGROUND: At the September 6, 2017, board meeting the board members and executive staff met and worked with SOLID staff to discuss and make recommendations for the 2018-2021 Draft Strategic Plan.

SOLID Training Solutions compiled all the Board's recommendations and the draft plan is submitted to the Board for consideration and a possible vote to approve.

The board considered the Draft 2018-2021 Strategic Plan at its November 2017 board meeting and voted to defer action on it.

At the February 2018 board meeting, the board considered a staff request to schedule an additional meeting day in April 2018 to review and edit the Draft 2018-2021 Strategic Plan. The board voted to table for further review on whether to adopt the Draft 2018-2021 Strategic Plan to a future Board Meeting.

Some minor edits have been made to the plan based on board member feedback and is presented to the board for consideration and possible approval.

Motion: Michael Jackson – Adopt amended draft

Second: Pilar DeLaCruz-Reyes

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

No Public Comment

- 6.2 Update on meeting with DCA Leadership to discuss the BRN current budget status and need to seek additional resources (moved up with item 5.2)

7.0 Report of the Education/Licensing Committee

Michael Jackson, MSN, RN, Chairperson

7.1 Vote On Whether To Recommend Ratification Of Minor Curriculum Revision and Acknowledge Receipt Of Program Progress Report

BACKGROUND: Carol Velas-NEC presented report. According to Board policy, Nursing Education Consultants may approve minor curriculum changes that do not significantly alter philosophy, objectives, or content. Approvals must be reported to the Education/Licensing Committee and the Board.

Minor Curriculum revisions include the following categories:

- Curriculum changes
- Work Study programs
- Preceptor programs
- Public Health Nurse (PHN) certificate programs
- Progress reports that are not related to continuing approval
- Approved Nurse Practitioner program adding a category of specialization

The following programs have submitted minor curriculum revisions that have been approved by the NECs:

- 7.1.1 University of California Davis Betty Irene Moore School of Nursing Master's Entry Nursing Program
- 7.1.2 San Diego State University Baccalaureate Degree Nursing Program
- 7.1.3 Carrington College LVN to RN Associate Degree Nursing Program
- 7.1.4 Contra Costa Associate Degree Nursing Program
- 7.1.5 Los Angeles City College Associate Degree Nursing Program
- 7.1.6 Sacramento City College Associate Degree Nursing Program
- 7.1.7 Santa Barbara City College Associate Degree Nursing Program
- 7.1.8 Solano Community College Associate Degree Nursing Program
- 7.1.9 Weimar Institute Associate Degree Nursing Program
- 7.1.10 Holy Names University Nurse Practitioner Nursing Program

No Public Comment

Motion: Michael Jackson made a motion to Ratify Minor Curriculum Revisions.

Second: Trande Phillips

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

7.2 Vote on Whether to Approve Education/Licensing Committee Recommendations

BACKGROUND: The Education/Licensing Committee met on March 15, 2018 and makes the following recommendations:

- 7.2.1 Continue Approval of Prelicensure Nursing Program
 - California State University, Chico Baccalaureate Degree Nursing Program
- 7.2.2 Change Warning Status with Intent to Close Program to Continue Approval of Prelicensure Nursing Program
 - East Los Angeles College Associate Degree Nursing Program
- 7.2.3 Approve Major Curriculum Revision
 - California State University, Long Beach Baccalaureate Degree Nursing Program
 - Los Angeles Trade Tech College Associate Degree Nursing Program
 - Santa Barbara City College Associate Degree Nursing Program
- 7.2.4 Deny Major Curriculum Revision, Enrollment Increase
 - Western Governor's University Baccalaureate Degree Nursing Program
- 7.2.5 Defer Granting Initial Prelicensure Program Approval
 - Brandman University Baccalaureate Degree Nursing Program
- 7.2.6 Extend New Prelicensure Nursing Program Application Deadline
 - Brandman University Baccalaureate Degree Nursing Program

No Public Comment

Motion: Michael Jackson made a motion to accept the recommendations of the Education Licensing Committee.

Second: Pilar DeLaCruz-Reyes

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

7.3 Vote on Whether to Grant Initial Approval of Prelicensure Nursing Program For Vanguard University Baccalaureate Degree Nursing Program

BACKGROUND: Mary Wickman, Ph.D., RN is the Program Director, approved 6/28/2017. Amanda Firestone, MSN, RN, CNS was approved as the BSN program Assistant Director on 7/7/2017 and will assume the Program Director position upon meeting BRN regulations. The feasibility study for the proposed program was accepted by the Board at the April 5, 2017 meeting.

An initial program approval site visit for the Vanguard University Baccalaureate Degree in Nursing program Costa Mesa campus was conducted on February 12, 2018 by Wayne Boyer, NEC and Badrieh Caraway, SNEC. The findings from the visit were presented at the March 15, 2018 Education Licensing Committee Meeting. The program proposes to admit 24 students the first year (Fall 2018) and 30 students annually thereafter. The University made multiple inquiries of fifteen schools to ascertain those schools' support or lack of support for the proposed program. At the time of the ELC meeting five schools (not seven) had not responded to the request and committee members requested the NEC to contact the schools to assure due process. The schools were contacted, and the replies are as follows:

- Long Beach City College Associate Degree Nursing Program– Letter of Support.
- Western University of Health Sciences – Letter of Support.
- National University – Letter of Support.
- Cypress College Associate Degree Nursing Program – Letter of Non-Support.

- American University of Health Sciences – Letter of Support.

Vanguard University has received verbal or written support from eleven schools (73.3%), written or verbal non-support from four schools (26.6%). The written responses and a copy of the first cohort, first semester clinical placement is provided in the packet.

Public Comment

Mary Whitman, Catherine Hughes, Scott Ziehm, Judy Corless, Amanda Firestone

Motion: Michael Jackson made a motion to Grant Initial Approval of Prelicensure Nursing Program for Vanguard University Baccalaureate Degree Nursing Program with an initial enrollment of 24 students and a 30 student annual enrollment thereafter.

Second: Pilar DeLaCruz-Reyes

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

7.4 Information Only: NCLEX Pass Rate Update

BACKGROUND: The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for the last 12 months and by each quarter.

NCLEX RESULTS–FIRST TIME CANDIDATES

April 1, 2017- March 31, 2018/****

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California**/**	11,866	90.50
United States and Territories	158,377	87.53

CALIFORNIA NCLEX RESULTS–FIRST TIME CANDIDATES

By Quarters and Year April 1, 2017-March 31, 2018/****

4/01/17- 6/30/17		7/01/17- 9/30/17		10/01/17- 12/31/17		1/01/18- 3/31/18		4/1/17- 3/31/18	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
2,209	87.51	4,616	92.09	1,714	87.63	3,327	91.76	11,866	90.50

**Includes (0), (2), (2) and (1) “re-entry” candidates*

****2016 NCLEX-RN Test Plan and Passing Standard:** The detailed versions (Candidate and Educator) of the 2016 NCLEX-RN Test Plan are now available on the NCSBN website at www.ncsbn.org. The 2016 NCLEX-RN Test Plan is effective April 1, 2016 through March 31, 2019. The NCLEX-RN Passing Standard will remain at the current level of 0.00 logit that was instituted April 1, 2013. This passing standard will remain effective through 3.31. 2019. A logit is a unit of measurement to report relative differences between candidate ability estimates and exam item difficulties.

Nursing Education Consultants (NECs) monitor the NCLEX results of their assigned programs. When a program’s annual first time candidate pass rate is below 75% for the academic year (July 1-June 30), the NEC sends the program written notice of non-compliance (per CCR 1431). The program submits a detailed written assessment of the factors contributing to the annual substandard pass rate along with a corrective action plan to improve the annual rate. The NEC summarizes the program’s

NCLEX assessment and improvement action plans in the ELC/Board meeting materials per the 3/16 revision of the Licensing Examination Passing Standard

PROGRAM UPDATE LICENSING:

EDP-I-29 document. If a second

consecutive year of annual substandard performance occurs, a continuing approval visit will be scheduled within six months, and the NEC's continuing approval visit findings reported to ELC with program representatives in attendance per EDP-I-29 as included in the Program Directors' Handbook Section 8.

7.5 Licensing Program Update-Christina Sprigg, Chief Licensing and Administrative Services

The Licensing Program evaluators are currently processing the initial review of exam and endorsement applications received in February. The Licensing Chief and Assistant Executive Officer continue to present an overview regarding the application and eligibility process to California students at every board petitioner hearing day.

The board continues to utilize the CloudDrive to receive electronic transcripts from California programs, and we are preparing to begin the processing of May/June Spring graduates in the coming weeks. In the attempt to improve the endorsement application process, the board began a pilot program with a several nurse staffing agencies in October 2017 for accepting electronic transcripts from third party vendors for out-of-state applicants. An integrated process was created to solely accept electronic transcripts from out of state schools and approved third party vendors via a secured method. This service was successfully launched on March 15th, 2018, and we have begun to receive and process electronic transcripts for out-of-state endorsement applicants. Endorsement applicants are now able to submit all application requirements completely online, aside from mailing in a fingerprint card if they are located out of state. We expect to see a reduction in endorsement processing times as well as a reduction in the number of phone calls to the board regarding endorsement.

The Green Project:

As many of you are aware, the board launched "The Green Project" in September 2017. Since its inception, the staff continue to implement enhancements. The most recent enhancements implemented include:

- Electronic Transcripts from Out of State (US) schools
 - As of March 2018 - This process has been fully implemented and the board is now able to receive electronic transcripts for out-of-state Endorsement applicants.
- Implementation of online only initial applications by exam and endorsements
 - As of April 2018 - The board is increasingly receiving applications that are completely "paperless", and the coming months will be a transition period before the board goes fully online-only.

Additional enhancements in process of implementation for back office (BRN staff) BreZE include:

- Implementation of work Queues for all application types
 - Slated for implementation mid-year 2018
 - Work queues will allow supervisory staff to assign work directly to staff and monitor incoming workloads to ensure the board is within statutory processing times.
- Elimination of creating paper file folders for most incoming applications
 - Slated for implementation late 2018
 - With the implementation of online only exam, endorsement applications, and internal BRN BreZE work queues the need for actual file folders will no longer be necessary to monitor most incoming applications. International applications will continue to be paper files.

Public Information Unit – Call Center:

The board's call center supports a population of over 435,000 licensees and over 35,000 applicants. Currently the call center has 11 approved employee positions in which 3 of the positions are currently vacant. One of those positions is assigned to work the public information counter leaving 10 positions to answer calls. With the size of the board's licensee and applicant population this equates to call center agents supporting approximately 50,000 licensees/applicants per agent. The average monthly calls received is 56,600 calls. Currently, board staff are only able to answer approximately 10.6% of the calls annually which breaks down to an average of 6,000 calls monthly.

Call Center Per Agent Statistics	
Average Calls Answered Per Hour	6 – 8
Average Calls Answered Per Day	48 – 64
Average Calls Answered Per Week	240 – 320
Average Calls Answered Per Month	960 – 1,280
Average Calls Answered Annually	11,520 – 15,360

The call center supervisor and manager have been monitoring the daily statistical information and have been working with staff to increase the number of calls answered per hour. The call center supervisor has worked directly with call center staff to draft scripts for call agents to use when responding to caller's questions. The scripts cover a variety of common questions and scenarios that are received by the call center daily. They provide responses based on the type of questions and where in the process the licensure or renewal application may be. The scripts also guide agents when responding to uncommon questions and assists them in locating appropriate information within the BreZze system to ensure they are providing accurate responses. Call agents are also required to document call notes for each call they receive. The scripts make it easier for the agent to cut and paste question responses into the BreZze record so that information is readily available for future agents to review if the licensee or applicants calls again. Implementation of the scripts by a few agents has been successful in ensuring that each agent is providing appropriate and accurate responses to callers. Additionally, initial use of the scripts has shown an increase in the number of calls the agents have been able to answer per hour. Training on the use of the scripts is ongoing with staff and the call center supervisor will continue to monitor the effectiveness of the scripts.

We worked with the DCA Budget office to review our current budget and determined we would be able to temporarily fund twelve (12) limited term positions for the call center. We have submitted the appropriate paperwork to the DCA Human Resource unit to advertise and begin the hiring process for these positions. Over the past two years our call center positions have been challenging to fill. We worked with the DCA Human Resources unit to determine the best route for filling these positions. They provided recommendations to the board in opening our advertisement to both the Program Technician and Program Technician II classifications. This would allow for a larger pool of applicants to choose from at various levels of the classification. In addition, DCA Consumer Information Center has loaned two staff to assist in the board's call center. Those two staff are currently being trained to respond to board specific calls and we expect they will be taking calls within the next two to three weeks.

The call center and renewals unit reconfiguration is currently underway. The construction and reconfiguration started on Monday April 9th and will take approximately two weeks to complete. During this time the board's call center, public counter and renewals staff have been relocated to the DCA headquarters building at 1625 N. Market Blvd. Suite N-202. Notification of the temporary relocation of

the board's public counter has been posted to the website, on the phone tree recording and a sign has been posted in the lobby of the board's office at 1747 N. Market Blvd.

Staffing Updates:

Currently the Licensing, Administration, Call Center and Renewals units has twelve (12) permanent vacancies due to staff movement and promotions and an additional twelve (12) limited term positions that will be created. Below is a chart outlining the status of each unit's vacancies:

Vacancy	Status	Expected Completion/Start Date
Licensing – Advance Practice & U.S. Evaluations:		
1 Staff Services Analyst – PHN Desk	Interviews being conducted	Position expected to be filled by end of April.
Licensing – International Evaluations & Technical Support:		
2 Program Technician I – Technical Support	1 st position is pending application review and interviews 2 nd position is pending reference checks	1 Position expected to be filled by end of April
1 Supervising Program Technician I – Technical Support	Position has been re-advertised	Position expected to be filled by end of May
1 Staff Services Analyst – International Evaluations	Interviews being conducted	Position expected to be filled by end of April
Call Center, Renewals, Cashiering, Mailroom Units:		
2 Program Technician II (permanent) – Call Center	Positions have been re-advertised	Positions expected to be filled by end of May
1 Program Technician II (permanent) – Call Center	Pending review by HR	Position expected to be advertised by end of April
12 Program Technician I/II (limited-term) – Call Center	Pending review by HR	Position expected to be advertised by end of April
1 Office Assistant – Mailroom	Pending applications review and interviews	Position expected to be advertised by end of April
1 Supervising Program Technician II – Call Center	Pending review by HR	Position expected to be filled by June
1 Program Technician II – Renewals	Pending review by HR	Position expected to be advertised by end of April
Administration Unit:		
1 Office Technician	Interviews being conducted	Position expected to be filled by end of April

NEW HIRES

STATISTICS:

Name	Classification	Program
Licensing – Advance Practice & U.S. Evaluations:		
Phillip Perez	Program Technician II	Licensing – US Evaluations
Evelyn Medina	Staff Services Analyst	Licensing – International Evaluations
John Shicora	Staff Services Analyst	Licensing – International Evaluations
Call Center, Renewals, Cashiering, Mailroom Units:		
William Newton	Program Technician II	Call Center
Steve Reed	Program Technician	Renewals
Angelina Gonzalez	Program Technician	Licensing – Support

The board continues to use Quality Business Interactive Report Tool (QBIRT) and can create and run various reports upon request. DCA currently offers a basic introductory class to the QBIRT reporting tool, as well as a more in-depth training that instructs staff on how to develop and run more complex, customized reports. The board can utilize custom reports to find areas of improvement in our processes, as well as better predict workflow fluctuations. Below is the total number of applications the board has received by fiscal year:

Licensing Applications Received					
Application Type	Fiscal Year 2013 – 2014	Fiscal Year 2014-2015	Fiscal Year 2015-2016	Fiscal Year 2016-2017	Fiscal Year 2017-Current
Exams	14,284	15,777	16,059	16,879	9,836
Endorsement	9,679	13,534	15,713	20,040	14,136
Repeat/Reapply	5,716	7,734	6,879	7,043	4,143
Advanced Practice	6,921	8,084	6,701	9,774	6,871
Total	36,600	45,129	45,352	53,736	34,986

No Public Comment**8.0 Report of the Legislative Committee**

Donna Gerber, Chairperson

Kay Weinkam, NEC
Legislative Analyst

8.1 Discuss Bills of Interest to the Board of Registered Nursing (Board) and Adopt or Modify Positions on the Bills Introduced During the 2017-2018 Legislative Session

Bold denotes a new bill for Committee or Board consideration or is one that has been amended since the last Committee or Board meeting. An analysis and the bill text for these bills are included for further review.

Assembly Bills that Impact Registered Nurses, Nursing Practice, or Nursing Education

BILL #	AUTHOR/ BILL SPONSOR	SUBJECT	COMM POSITION (date)	BOARD POSITION (date)	BILL STATUS as of April 2, 2018
AB 40	Santiago/ California ACEP	CURES database: health information technology system	Watch (8/9/17)	Watch (9/7/17)	Chapter 607, Statutes of 2017
AB 44	Reyes	Workers' compensation: medical treatment: terrorist attacks: workplace violence	Watch (8/9/17)	Watch (9/7/17)	Chapter 736, Statutes of 2017
HR 6	Burke	Relative to women's reproductive health			Adopted January 30, 2017
AB 334	Cooper/ California Clinical Forensic Medical Training Center	Sexual assault	Watch (8/9/17)	Watch (9/7/17)	Senate Pub Safety
AB 391	Chiu/ California Pan Ethnic Health Network & others	Medi-Cal: asthma preventive services	Oppose (8/9/17)	Oppose (9/7/17)	Vetoed
AB 402	Thurmond/ CNA/NNU	Occupational safety and health standards: plume	Support (3/8/17)	Support (4/5/17)	Vetoed
AB 422	Arambula/ California State University	California State University: Doctor of Nursing Practice Degree Program	Watch (3/8/17)	Watch (4/5/17)	Chapter 702, Statutes of 2017
AB 508	Santiago	Health care practitioners: student loans	Support (3/8/17)	Support (4/5/17)	Chapter 195, Statutes of 2017
AB 710	Wood/ Epilepsy Foundation of Greater Los Angeles	Cannabidiol		Watch (2/15/18)	Senate BP&ED
AB 882	Arambula/ CSNO	Pupil health care services: School Nursing and Pupil Health Care Services Task Force	Watch (5/10/17)	Watch (4/5/17)	Assembly APPR
AB 1048	Arambula/ CMA	Health care: pain management and Schedule II drug prescriptions	Watch (8/9/17)	Watch (9/7/17)	Chapter 615, Statutes of 2017
AB 1102	Rodriguez/ California State Council of SEIU; CNA	Health facilities: whistleblower protections	Support (5/10/17)	Support (6/8/17)	Chapter 275, Statutes of 2017

AB 1110	Burke/ California Board of Optometry	Pupil health: eye and vision examinations	Watch (3/8/17)	Watch (4/5/17)	Assembly APPR
AB 1560	Friedman/ California Association for Nurse Practitioners	Nurse practitioners: certified nurse- midwives: physician assistants: physician and surgeon supervision	Watch (8/9/17)	Watch (9/7/17)	Senate Inactive File
AB 1612	Burke/CNMA	Nursing: certified nurse-midwives: supervision	Support (5/10/17)	Watch (4/5/17)	Assembly APPR
AB 1650	Maienschein/ California Ambulance Association	Emergency medical services: community paramedicine	Oppose (5/10/17)		Assembly APPR
AB 1752	Low/Board of Pharmacy	Controlled substances: CURES database		Watch (2/15/18)	Assembly B&P
AB 1795	Gipson/Los Angeles County et al	Emergency medical services: community care facilities		Watch (2/15/18)	Assembly Health
AB 1998	Rodriguez	Opioids: prescription limitations	Watch (3/15/18)		Assembly Health
AB 2086	Gallagher	Controlled substances: CURES database	Watch (3/15/18)		Assembly B&P
AB 2140	Maienschein/C AHSAH	Home health agencies: waiver program: nurses	Watch (3/15/18)		Assembly Health
AB 2143	Caballero/ California Psychiatric Association	Mental health: Licensed Mental Health Service Provider Education Program	Watch (3/15/18)		Assembly Health
AB 2193	Maienschein/2 020 Mom	Maternal mental health	Watch (3/15/18)		Assembly Health
AB 2315	Quirk-Silva	Pupil health: health care: telehealth services	Watch (3/15/18)		Assembly ED
AB 2324	Rubio	Elder or dependent adult abuse: public shaming	Watch (3/15/18)		Assembly A&LTC
AB 2405	Patterson	Controlled substances: carfentanil	Watch (3/15/18)		Assembly Pub Safety
AB 2444	Burke/ California Board of Optometry	Pupil health: eye and vision health	Watch (3/15/18)		Assembly ED
AB 2682	Burke/ CNMA	Nurse-midwives	Watch (3/15/18)		Assembly B&P

AB 2759	Santiago/ CNA/NUU	Clinics and health facilities: nurses	Watch (3/15/18)		Assembly Health
AB 2760	Wood	Prescription drugs: naloxone hydrochloride	Watch (3/15/18)		Assembly B&P
AB 2850	Rubio/ CAHF	Nurse assistant training programs: geriatric medication technician	Watch (3/15/18)		Assembly Health

SENATE BILLS 2017-2018

BILL #	AUTHOR/ BILL SPONSOR	SUBJECT	COMM POSITION (date)	BOARD POSITION (date)	BILL STATUS as of April 2, 2018
SB 227	Monning/ the ALS Association Golden West Chapter	Vocational nurse: feeding tube services: neurodegenerative conditions	Watch (3/8/17)	Watch (4/5/17)	No longer applicable as amended
SB 320	Leyva/ ACCESS Women's Health Justice et al	Public health: public postsecondary education: on-campus student health centers: abortion by medication techniques		Watch (2/15/18)	Assembly Desk
SB 349	Lara/ UNAC/UHCP; SEIU California	Chronic dialysis clinics: staffing requirements	Watch (8/9/17)	Watch (9/7/17)	Assembly Inactive File
SB 419	Portantino	Medical practice: pain management	Watch (5/10/17)	Watch (4/5/17)	No longer applicable as amended
SB 457	Bates	Out-of-Hospital childbirths: physicians and surgeons: licensed midwives: certified nurse-midwives	Oppose unless amended (5/10/17)		Senate BP&ED
SB 554	Stone	Nurse practitioners: physician assistants: buprenorphine	Support (8/9/17)	Support (9/7/17)	Chapter 242, Statutes of 2017
SB 562	Lara/CNA- National Nurses United	The Healthy California Act	Support (8/9/17)	Support (9/7/17)	Assembly Desk
SB 746	Portantino/ California Chiropractic Association	Pupil health: physical examinations	Watch (3/8/17)	Watch (4/5/17)	No longer applicable as amended
SB 1109	Bates/San Diego District Attorney Summer Stephan	Controlled substances: Schedule II drugs: opioids	Watch (3/15/18)		Senate BP&ED
SB 1127	Hill	Pupil health: administration of medicinal cannabis: school sites	Watch (3/15/18)		Senate ED

SB 1152	Hernandez	Hospital patient discharge process: homeless patients	Watch (3/15/18)		Senate Health
SB 1240	Stone	Prescription drugs: CURES database			Senate BP&ED
SB 1288	Leyva	Health care facilities: inspections			Senate Health
SCR 110	Wiener/ interACT	Sex characteristics	Information (3/15/18)		Senate Health

Legislative Bills that Impact Board

BILL #	AUTHOR/ BILL SPONSOR	SUBJECT	COMM POSITION (date)	BOARD POSITION (date)	BILL STATUS as of April 2, 2018
AB 12	Cooley	State government: administrative regulations: review		Watch (2/8/17)	Assembly APPR
AB 77	Fong	Regulations: effective dates and legislative review		Watch (2/8/17)	Assembly APPR
AB 208	Eggman/ ACLU et al	Deferred entry of judgment: pretrial diversion	Oppose (3/8/17)	Watch (9/7/17)	Chapter 778, Statutes of 2017
AB 241	Dababneh	Personal information: privacy: state and local agency breach	Watch (5/10/17)		Assembly APPR
AB 703	Flora	Professions and vocations: licenses: fee waivers	Support (5/10/17)		Assembly B&P
AB 710	Wood	Department of Consumer Affairs: boards: meetings. Amended 1/18/18: Cannabidiol	Support (5/10/17)	Support (6/8/17)	Refer to this bill in the Nursing table
AB 827	Rubio/ Coalition for Humane Immigrant Rights	Department of Consumer Affairs: task force: foreign-trained individuals		Watch (4/5/17)	Senate APPR
AB 1005	Calderon	Professions and vocations: fines: relief		Watch (4/5/17)	No longer applies to the BRN
AB 1190	Obernolte	Department of Consumer Affairs: BreEZe system: annual report	Watch (3/8/17)	Watch (4/5/17)	Vetoed (10/17/17)
AB 2087	Waldron	State government operations: technology modernization	Watch (3/15/18)		Assembly Pending referral
AB 2138	Chiu	Licensing boards: denial of application: criminal conviction	Watch (3/15/18)		Assembly B&P

AB 2264	Brough	Professions and vocations: fees			Assembly B&P
AB 2483	Voepel	Department of Consumer Affairs: Office of Supervision of Occupational Boards	Watch (3/15/18)		Assembly B&P
AB 2958	Quirk	State bodies: meetings: teleconference	Watch (3/15/18)		Assembly GO

SENATE BILLS 2017-2018

BILL #	AUTHOR/ BILL SPONSOR	SUBJECT	COMM POSITION (date)	BOARD POSITION (date)	BILL STATUS as of April 2, 2018
SB 27	Morrell	Professions and vocations: licenses: military service		Watch (2/8/17)	Senate APPR
SB 54	De León/ Immigrant Legal Resource Center	Law enforcement: sharing data			Chapter 495, Statutes of 2017
SB 181	Berryhill	Administrative Procedure Act: repeal of regulations			Senate GO
SB 247	Moorlach	Professions and vocations: license requirement: business: surety bond requirement	Watch (3/8/17)		No longer applicable as amended
SB 259	Wilk	Reports			Senate GO
SB 359	Galgiani	Professions and vocations: military medical personnel		Watch (4/5/17)	Senate Rules
SB 496	Canella	Indemnity: design professionals	Watch (3/8/17)	Watch (4/5/17)	No longer applicable as amended
SB 547	Hill	Professions and vocations: weights and measures	Support (8/9/17)	Support (9/7/17)	Chapter 429, Statutes of 2017
SB 555	Morrell	Regulations: 5-year review and report		Watch (4/5/17)	Senate GO
SB 572	Stone	Healing arts licensees: violations: grace period		Watch (4/5/17)	Senate BP&ED
SB 641	Lara/CMA	Controlled Substance Utilization Review and Evaluation System: privacy	Watch (5/10/17)	Watch (4/5/17)	Assembly Pub S
SB 715	Newman	Department of Consumer Affairs: regulatory boards: removal of board members		Watch (6/8/17)	Assembly Inactive File
SB 762	Hernandez	Healing arts licensee: license activation fee: waiver	Watch (5/10/17)	Watch (6/8/17)	Assembly B&P
SB 796	Hill	Uniform Standards: Naturopathic Doctors Act: Respiratory Care Practice Act	Watch (8/9/17)	Watch (9/7/17)	Chapter 600, Statutes of 2017
SB 799	Hill	Nursing	Support bill as introduced (5/10/17)	Support bill as introduced (6/8/17)	Chapter 520, Statutes of 2017

SB 921	Morrell	State agencies: Internet Web sites: disclosure of financial information		Watch (2/15/18)	Senate GO
SB 984	Skinner/ Equal Rights Advocates	State boards and commissions: representation: women	Watch (3/15/18)		Senate GO
SB 1137	Vidak	Veterans: professional licensing benefits			Senate BP&ED
SB 1474	Hill	Anatomical gifts	Watch (3/15/18)		Senate Health

Public Comment

Saskia Kim, Catherine Hughes, Aron Quentin, Marketa Houskova

Motion: Donna Gerber motion to take a watch position on bills.

Second: Michael Jackson

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

9.0 Report of the Intervention/Discipline Committee

Barbara Yaroslavsky, Chairperson

9.1 Information Only: Complaint Intake and Investigations Update

Joe Pacheco, Chief, Complaint Intake and Investigations

COMPLAINT INTAKE UPDATE:

Staff Vacancies

A vacant Staff Services Analyst has been filled. We also have an open recruit to fill a vacant Office Technician position which is expected to be filled in April.

Major Accomplishments

In March, the BRN finalized a Memorandum of Understanding with the Los Angeles County Superior System which will grant access LASC's Online Portal for criminal case information and documents. Los Angeles County provides approximately 40% of the Arrest/Conviction workload for the Complaint Intake Unit. This new access will make the desk investigations of this workload more efficient.

Three Year Complaint Workload Analysis

The committee requested an analysis of the BRN's complaint workload over the past three years. The following chart illustrates the increased volume of enforcement cases received in the last three fiscal years.

	FY 14/15	FY 15/16	FY 16/17	Increase since 14/15
Public Complaints	3,302	2,991	3,830	16.0%

Arrest/Conviction Reports	1,061	1,412	1,429	34.7%
Applicants	2,318	2,970	3,769	62.6%
Total	6,681	7,373	9,028	35.1%

Fiscal Year 2018 Complaint Intake Workload Volume, as of 3/28/2018

Public Complaints Received	2,463
Licensee Arrest & Conviction Reports	1,065
Applicant Criminal Conviction Cases	2,761
Total Complaints Received (FY 17/18)	6,289

This year's Applicant workload has already surpassed the Fiscal Year 2014/2015 total annual Applicant workload. To identify trends in the rapidly increasing Applicant workload, I have asked staff to conduct an in-depth analysis of the historical Applicant case data. A summary of this analysis will be ready at the next committee meeting.

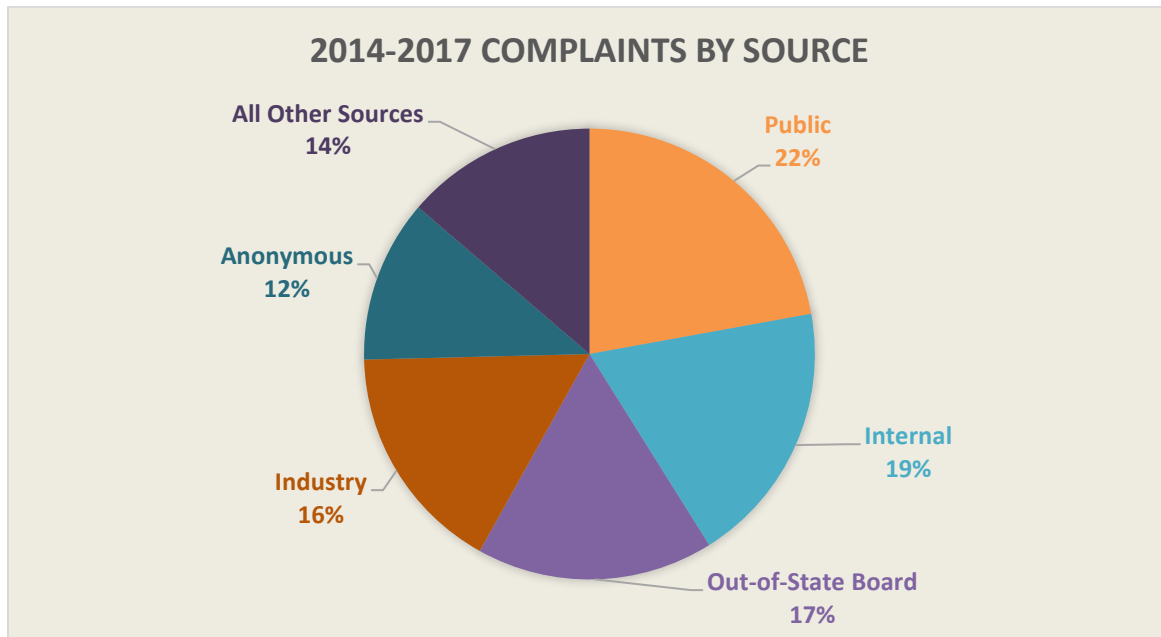
Current Complaint Intake Workload, as of 3/28/2018

Complaint Intake Desk Investigations Pending (CORI and Public Complaints, not-including field investigations)	823
Desk Investigations Pending > 1 year	97
Cases Pending Expert Review	64

Applicant Desk Investigations Pending	441
Applicant Cases Pending > 1 year	16

Sources of Complaints Against Licensees

While the applicant and CORI caseloads are almost entirely a result of fingerprint criminal conviction histories from DOJ/FBI, the Public Complaint Workload comes from a variety of sources. The following chart illustrates the source of Public Complaints for the past three years.



As a result of SB 799, and in accordance with Business and Professions Code section 2761.5, the California Research Bureau (CRB) is conducting a study to review the following:

- Existing mandatory reporting requirements that alert the board to nurses who may have violated the NPA;
- review existing laws permitting, prohibiting, encouraging, or discouraging voluntary reporting to the board;
- analyzing the number of employer reports to the board, the number of those reports investigated by the board, and the final action taken by the board for each report.
- Employer reporting requirements of other boards within the department.
- Nursing reporting requirements of other states.

Enforcement Managers conducted two preliminary meetings with representatives from the CRB. BRN Staff will soon be producing data sets for CRB review and analysis.

INVESTIGATION PROGRAM UPDATE:

Staff

The BRN Investigation Unit is fully staffed and there are no vacancies.

Program

As the BRN liaison to the Division of Investigation, I am continuing to engage DOI in monthly management meetings to discuss mutual workload and timeframe issues.

The BRN Investigation Unit continues to make significant progress in addressing aging cases. At the March 2017 Committee Report, the BRN Investigation Unit had 67 cases over one year old. They now have 15.

As of March 30, 2018, there are approximately 15 BRN Investigations cases and 68 DOI cases that have been within their respective units for more than one year.

Summary Statistics

Cumulative Investigation Referrals - Fiscal Year 2018

	No. of Cases	Percent of all Referrals
Referred to DOI	346	39%
Referred to BRN Investigation Unit	570	61%

Cumulative Investigation Closures – Fiscal year 2018

	No. of Completed Investigation Reports	Average Days to Complete Investigation	Average Cost Per Case
Division of Investigation Closures	308	290	\$6,919
BRN Investigation Unit Closures	590	237	\$2,404

No public Comment

9.2 Discipline and Probation Program Update- Information only

Shannon Silberling, Chief, Discipline, Probation and Intervention

PROBATION UNIT

There is one vacancy in the probation unit as the probation unit was given approval of redirecting a vacant position from the discipline unit to the probation unit. Interviews were held and the candidate is pending approval. This will decrease the cases per probation monitor. The current case load per monitor is approximately 132 cases, which includes tolled probationers. The additional position to the unit could potentially decrease the cases per monitor to 121. The average case load determined by DCA was 75 cases per monitor.

Uniform Standards, once approved, will require a more multifaceted monitoring for anyone that is deemed to meet the criteria for being chemically dependent. An analyst that is monitoring these cases, should have a reduced caseload due to the complexity of these cases.

We continue to reassess our business processes and implement changes to not only reduce our caseloads but streamline the probation process.

- * Petitioners can now stipulate to early termination of probation allowing the Board to electronically vote, vs the probationer having to wait to go before the board. This new process allows for a compliant probationer to be released from probation expeditiously and removes the backlog of cases waiting to be heard by the board. To date, we have completed 95 via the stipulation process there are 27 cases pending.
- * There are 30 petitions for early terminations and 9 modifications pending a hearing before the Board.

We have teamed with SOLID to instruct the Probation Monitoring Module of DCA's SOLID Enforcement Academy. The most recent class was held Wednesday, April 4, 2018.

Probation Information	FY 2014/2015	FY 2015/2016	FY 2016/2017	Current
Active In-State Probationers	1,095	1,189	1,196	1,073
# of Chemical Dependency Probationers	707	785	787	632
Tolled Out of State Probationers	290	345	380	388
Pending Cases at AGO for further discipline of licensure	128	91	130	114
Total Probationers	1,385	1,534	1,576	1461

CITE AND FINE

We are currently fully staffed with 1 AGPA, 1 SSA and 1 OT.

We began issuing citations for the licensees that have been non-compliant with fingerprints. We anticipate this to be completed by the end of this calendar year. As of **03/27/2018**, we have issued **144** fingerprint citations. Of those, we have received full payment on **26** and held **96** appeal conferences.

Citation Information	FY 2015/16	FY 2016/17	Current
Citations Issued	542	366	567
Amount Ordered	\$ 299,638	\$ 266,428	\$376,108.28
Amount Received	\$ 253,974	\$ 202,614	\$280,583.28

DISCIPLINE UNIT

We have one (1) analyst vacancy and this should be posted soon.

We have been transmitting FastTrack (Out of State Discipline and Convictions) and Petition cases as of July 20, 2017, to the Attorney General's Office, via the Cloud. We have been approved to roll this out to all AG offices across the state.

As of January 1, 2018, BRN is no longer processing Default Decisions and having DCA legal review for approval. The Attorney General's Office has taken this task back over, after 7 years. This will increase case aging and case cost, not to mention potentially increasing case time for all other cases being handled at the AGO.

Cases Pending with AG	As of 4/2/18
Total cases at AG	1,487 (1,402 RN's)
Pending Board Vote	127
Final Decision Processing	82
Pending hearing	125
Over 2 yrs. at AG	58
1-2 yrs. at AG	230

Board Final Decisions	FY 2015/16	FY 2016/17	Current
Petitions to Revoke Probation	87	120	70
Pleading Served	1067	938	533
EO Signed Surrenders	255	254	147
Withdrawals of SOI	15	9	6
Decisions Adopted	1,641	1,282	777

No public Comment

9.3 Intervention Program Update - Information Only

Shannon Silberling, Chief Discipline, Probation and Intervention

INTERVENTION PROGRAM UPDATE

Staffing

The intervention unit is fully staffed.

Program Update

On February 12, 2018, Probation and Intervention Managers, along with Dr. Morris and Shannon Johnson provided an educational overview of the Intervention and Probation Programs, to the Nursing Education and Workforce Advisory Committee (NEWAC). Topics included the conditions of Probation, the differences between Intervention and Probation, and the importance of addressing the needs of nurses who are challenged with Substance Use Disorder and/or Mental Illness.

On February 20th in conjunction with the Department of Consumer Affairs (DCA) Office of Public Affairs (OPA), we filmed the first half of our educational outreach video at Sutter Davis Hospital. We would like to take this opportunity to thank Sutter Health for the use of their facilities and their graciousness in hosting our filming. On March 29th, we continued our filming at DCA headquarters. We are excited about the filmed footage and will film the last portion on April 10, 2018. It is our projected timeline that our video will be completed and delivered to Dr. Morris for review by the end of June.

In addition to our outreach video, a new brochure and poster has also been developed by Intervention and DCA's OPA staff as part of our new educational outreach campaign.

Intervention Evaluation Committees (IEC)

There are currently four physician member vacancies. One in Oakland (IEC 13), San Jose (IEC 7), Los Angeles (IEC 3) and one in Fresno (IEC 5). There are four public member vacancies. One in San Jose (IEC 7), Orange County (IEC 4), Fairfield (IEC 11) and one in Fairfield (IEC 13). There are two RN member vacancies. One in Fairfield (IEC 2) and one in Burbank (IEC 8).

Statistics – Intervention

The Statistical Summary Report is attached. As of March 31, 2018, there have been 2,288. successful completions.

No public Comment

9.3.1 Intervention Evaluation Committee Member/ New Appointment

BACKGROUND:

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Intervention Evaluation Committees. Each Committee for the Intervention Program is composed of three registered nurses, a physician and a public member with expertise in substance use disorders and/or mental health.

APPOINTMENTS

Below is the name of the candidate who is being recommended for appointment to the Intervention Evaluation Committee (IEC). Ms. Holman's application and résumé is attached. If approved, her term will expire June 30, 2022.

<u>NAME</u>	<u>TITLE</u>	<u>IEC</u>	<u>NO</u>
Yvette Holman	RN Member	Burbank	8

No public Comment

Motion: Barbara Yaroslavsky motion to accept new candidate.

Second: Imelda Ceja-Butkiewicz

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

9.4 Information Only: Update from Division of Investigation Presentation at March 15, 2018 Committee Meeting

At the March 15, 2018 Intervention and Discipline Committee meeting, members received a presentation and update from Chief David Criss and Deputy Chief Bill Jones from DCA's Division of Investigation, the agency responsible for providing sworn peace officer law enforcement investigative services for the boards, bureaus, and programs within the Department of Consumer Affairs (DCA).

DOI's presentation included an overview of the Division of Investigation and an orientation to the scope of their responsibility and authority to conduct investigations on behalf of BRN, followed by questions from committee members.

The committee's questions focused on investigative timeframes and investigation cases pending over one-year. DOI outlined their plans to redistribute staff resources to address the aging cases and gave assurances the aging cases will be reduced in the coming months.

The committee specifically asked for data from DOI regarding the number of practice related public complaints they receive from the BRN, and how many of these practice related complaints result in referrals for criminal prosecution. On March 26, 2018, I have formalized this data request on behalf of the committee and it is my goal to receive this data in time for the May 2018 Committee meeting.

No Public Comment

9.5 Vote on whether to recommend approval of Regulatory Proposal to Modify the Recommended Guidelines for Disciplinary Orders and Conditions of Probation in California Code of Regulations, Article 1, Section 1444.5, Disciplinary Guidelines

The Board of Registered Nursing (BRN) originally approved a regulatory package to amend the Recommended Guidelines for Disciplinary Orders and Conditions of Probation (Guidelines) at its June 4, 2015 board meeting. The Recommended Guidelines for Disciplinary Orders were last amended in 2003. BRN staff reviewed the Guidelines prior to the overhaul of the board members in 2010 and a regulatory proposal was initiated in March 2011 to incorporate the Uniform Standards as required by SB 1441; however, the board was sunset in December 2011 and the regulatory proposal was not acted upon by the board in time.

The language approved by the board at its June 2015 board meeting was reviewed by DCA Legal Counsel who suggested modifying the language. The board voted at the April 2016 meeting to include the necessary trigger to identify a substance abusing licensee. The language for Section 1444.5 was updated to reflect that choice which is attached for reference purposes only as the language was approved by the full board at its June 2016 board meeting and staff is not seeking any changes to the language.

The Disciplinary Guidelines document has been updated by staff in conjunction with input from the Attorney General's office and is presented to the committee for review and possible vote.

Public Comment

Saskia Kim

Motion: Barbara Yaroslavsky motion to approve the guidelines for disciplinary orders and conditions of probation as revised, direct staff to continue the rulemaking practice and delegate the authority to the Executive Officer to make non-substantiate changes and take and to take all steps necessary in completing the rulemaking process.

Second: Imelda Ceja-Butkiewicz

Votes	MJ	EW	BY	DG	IC-B	TP	CK	PD-R
	Y	Y	Y	Y	Y	Y	Y	Y

10.0 Report of the Nursing Practice Committee

Elizabeth Woods, RN, Chairperson

10.1 Information Only: Board of Registered Nursing February 15, 2018: Appointment of members to the Nurse-Midwifery Committee Janette Wackerly, Supervising NEC

The Board of Registered Nursing on February 15, 2018: Reappointed four members and appointed one new member to the Nurse-Midwife Advisory Committee in accordance with B & P Code Section 2746.2. The Board of Registered Nursing is responsible for appointing persons to serve a two (2) year term on the Nurse-Midwifery Advisory Committee.

The Nurse-Midwifery Committee is composed of direct practice nurse-midwives one each from northern and southern California, a nurse midwife engaged in nurse-midwifery education, one public member who has been a consumer of nurse midwifery practice and an obstetrical physician with knowledge of nurse midwifery-practice.

The following candidates are re-appointed to the Nurse-Midwifery Advisory Committee and one new member is appointed. The following candidates for the Board's Nurse Midwifery Advisory Committee have been notified by mail and email and have accepted the appointment.

<u>NAME</u>	<u>TITLE</u>	<u>LOCATION</u>
<u>Re-appointment Candidates</u>		
Karen Roslie	Public Member	Encinitas – Southern
Lin Lee	RN, CNM	Los Altos – Northern
Naomi E. Stotland	MD	San Francisco – Northern
BJ Snell	RN, CNM	Cota De Caza – Southern

New Appointments

Hilary Reyes	RN, CNM	Van Nuys – Southern
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The Board will be delaying the initial meeting of the Nurse-Midwifery Committee until further notice. The delay for commencement of the meeting is due to the board's current fiscal constraints.

All Nurse-Midwifery Advisory Committee members are required to attend mandatory orientation provided by the Department of Consumer Affairs titled Board Member Orientation. The orientation includes information regarding the Bagley-Keene Open Meeting Act. The Bagley-Keene Open Meetings Act orientation provides guidance on how to conduct a meeting in order to comply with the act. The Board Member Orientation also includes information on the Regulatory Process and role of the Office of Administrative Law.

No Public Comment

Motion: Elizabeth Woods tabled discussion

Second: Trande Phillips

10.2 Information only: Board of Registered Nursing on February 15, 2018: Appointment of members to the Advance Practice Registered Nursing Committee (APRN) Committee.

Janette Wackerly, Supervising NEC

BACKGROUND:

The Board of Registered Nursing on February 15, 2018 appointed the following candidates as members to the Advanced Practice Nursing Committee.

Certified Nurse Midwife

Danielle Blum

Clinical Nurse Specialist

Elissa E. Brown

Garrett Chan

Certified Registered Nurse Anesthetist

Sandra K. Bordi

Karyn Karp

Nurse Practitioner

Mitchel Erikson

Charlotte A. Gullap-Moore

Jane Perlas

Ruth Rosenblum

The Board is delaying the initial meeting of the Advanced Practice Registered Nursing Committee until further notice. The delay for commencement of the meeting is due to the board's current fiscal constraints.

All Advanced Practice Registered Nursing Committee members are required to attend mandatory orientation provided by the Department of Consumer Affairs titled Board Member Orientation. The orientation includes information regarding the Bagley-Keene Open Meetings Act. The Bagley-Keene Open Meetings Act orientation provides guidance on how to conduct a meeting in order to comply with the act. The Board Member Orientation also includes information on the Regulatory Process and role of the Office of Administrative Law.

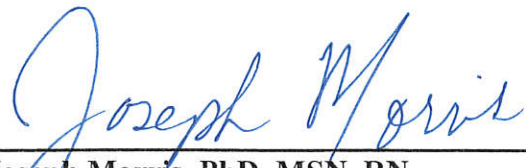
No Public Comment

Motion: Elizabeth Woods tabled discussion

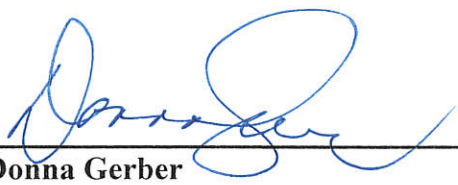
Second: Trande Phillips

11.0 Adjournment

The meeting adjourned at 1:29 pm.



Joseph Morris, PhD, MSN, RN
Executive Officer



Donna Gerber
Vice President